

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Brian W Ishman  
Connie L Ishman  
dba Connie's Family Hairstyles**  
Debtor(s)

Bankruptcy Case No.: 16-70397-JAD  
Per February 2, 2017 proceeding  
Chapter: 13  
Docket No.: 41 – 22, 36  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 17, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1205.00 as of February. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: February 6, 2017

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Brian W Ishman  
 Connie L Ishman  
 Debtors

Case No. 16-70397-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: lmar  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 59

Date Rcvd: Feb 06, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 08, 2017.

db/jdb  
 14234850 ++Brian W Ishman, Connie L Ishman, 410 5th Street, Windber, PA 15963-1308  
 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bk Of Amer, Po Box 982235, El Paso, TX 79998)  
 14300104 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284  
 14234852 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285  
 (address filed with court: Capital One Bank Usa N, 15000 Capital One Dr,  
 Richmond, VA 23238)  
 14234862 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: Home Depot Credit Services, P.O. Box 182676, Columbus, OH 43218)  
 14234851 +Cap One Na, Po Box 26625, Richmond, VA 23261-6625  
 14234853 +Capital One Bank, N.A., P.O. Box 71083, Charlotte, NC 28272-1083  
 14234854 +Clna, Po Box 6189, Sioux Falls, SD 57117-6189  
 14234855 +Clna, Po Box 6497, Sioux Falls, SD 57117-6497  
 14234856 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298  
 14234857 +Cowbird Emergency Physician, P.O. Box 38032, Philadelphia, PA 19101-0777  
 14234858 +Credit Bureau Centre, P.O. Box 273, Monroe, WI 53566-0273  
 14234860 +Embrace/Atlanticus, Po Box 105555, Atlanta, GA 30348-5555  
 14254651 +Ginny's, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849  
 14234861 +Ginnys, 1112 7th Ave, Monroe, WI 53566-1364  
 14234863 +HSBC Bank, P.O. Box 5253, Carol Stream, IL 60197-5253  
 14234865 +Law Offices of Fredric I Weinberg & Asso, 1001 E. Hector Street, Suite 200,  
 Conshohocken, PA 19428-2395  
 14234866 +Luther P. Miller, Inc., 3484 Elton Road, Johnstown, PA 15904-1998  
 14275827 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011  
 14234876 +MRS Assoc., 1930 Olney Avenue, Cherry Hill, NJ 08003-2016  
 14234868 +Mason Easy Pay, P.O. Box 2808, Monroe, WI 53566-8008  
 14234869 +Merchants Credit Guide, 223 W Jackson Blvd Ste 4, Chicago, IL 60606-6914  
 14234872 +Midland Funding, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709  
 14234874 +Midland Funding, LLC, Attn: Andrew Everett Callahan, Esquire,  
 1 International Plaza, 5th Floor, Philadelphia, PA 19113-1510  
 14234873 +Midland Funding, LLC, c/o Hayt, Hayt & Landau, LLC, 123 South Broad Street, Suite 1660,  
 Philadelphia, PA 19109-1003  
 14234875 +Montgomery Ward, 1112 7th Ave, Monroe, WI 53566-1364  
 14254650 +Montgomery Ward, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849  
 14234877 #+Patenaude & Felix, A.P.C., c/o Gregg L. Morris, Esquire, 213 East Main Street,  
 Carnegie, PA 15106-2701  
 14234878 +Penelec, P.O. Box 3687, Akron, OH 44309-3687  
 14234884 +Seventh Avenue, 1112 7th Ave, Monroe, WI 53566-1364  
 14251969 +Seventh Avenue, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849  
 14234885 +Stoneberry, P.O. Box 2820, Monroe, WI 53566-8020  
 14251979 +Stoneberry, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849  
 14234891 +The Bureaus, 650 Dundee Road Suite 370, Northbrook, IL 60062-2757  
 14234892 +Union Plus Credit Card, P.O. Box 30255, Salt Lake City, UT 84130-0255  
 14234893 Verizon, P.O. Box 151254, Albany, NY 12212

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14234849 +E-mail/Text: legal@arsnational.com Feb 07 2017 01:46:59 ARS National Services, Inc.,  
 P.O. Box 469100, Escondido, CA 92046-9100  
 14246822 E-mail/Text: ally@ebn.phinsolutions.com Feb 07 2017 01:46:48 Ally Financial,  
 PO Box 130424, Roseville MN 55113-0004  
 14234848 +E-mail/Text: ally@ebn.phinsolutions.com Feb 07 2017 01:46:48 Ally Financial,  
 200 Renaissance Center, Detroit, MI 48243-1300  
 14238170 E-mail/PDF: rmscedi@recoverycorp.com Feb 07 2017 01:31:30  
 Bureaus Investment Group Portfolio No 15 LLC, c/o Recovery Management Systems Corp,  
 25 SE 2nd Avenue Suite 1120, Miami FL 33131-1605  
 14234859 +E-mail/Text: bknotices@totalcardinc.com Feb 07 2017 01:47:23 Emblem MasterCard,  
 P.O. Box 89210, Sioux Falls, SD 57109-9210  
 14234864 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Feb 07 2017 01:47:35 Jefferson Capital Syst,  
 16 Mclelland Rd, Saint Cloud, MN 56303  
 14293534 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Feb 07 2017 01:47:36 Jefferson Capital Systems LLC,  
 Po Box 7999, Saint Cloud Mn 56302-9617  
 14248751 E-mail/Text: camanagement@mtb.com Feb 07 2017 01:46:59 Lakeview Loan Servicing, LLC,  
 c/o M&T Bank, P.O. Box 840, Buffalo, NY 14240-0840  
 14234867 E-mail/Text: camanagement@mtb.com Feb 07 2017 01:46:59 M&T Bank,  
 Lending Services, Customer Support, P.O. Box 900, Millsboro, DE 19966  
 14246342 E-mail/Text: bkr@cardworks.com Feb 07 2017 01:46:45 MERRICK BANK,  
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368  
 14234870 +E-mail/Text: bkr@cardworks.com Feb 07 2017 01:46:45 Merrick Bank, Po Box 9201,  
 Old Bethpage, NY 11804-9001  
 14234871 +E-mail/Text: bankruptcydpt@mcsmcg.com Feb 07 2017 01:47:20 Midland Credit Management, Inc.,  
 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255  
 14234880 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Feb 07 2017 01:55:18  
 Portfolio Recovery Associates, LLC, P.O. Box 12914, Norfolk, VA 23541

District/off: 0315-7

User: lmar  
Form ID: 149

Page 2 of 2  
Total Noticed: 59

Date Rcvd: Feb 06, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14234881 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Feb 07 2017 01:54:43  
Portfolio Recovery Associates, LLC, c/o Carrie A. Brown, Esquire, 120 Corporate Boulevard,  
Norfolk, VA 23502  
14234879 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Feb 07 2017 01:54:43  
Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952  
14234882 +E-mail/Text: bankruptcyremitcorp.com Feb 07 2017 01:47:23 Remit Corp, 36 W Main St,  
Bloomsburg, PA 17815-1703  
14234883 +E-mail/Text: bkprtr@retrievalmasters.com Feb 07 2017 01:47:20  
Retrieval Masters Creditors Bureau, Inc., 2269 S. Saw Mill River Road, Building 3,  
Elmsford, NY 10523-3848  
14234886 +E-mail/PDF: gecsedirecoverycorp.com Feb 07 2017 01:30:35 Synch/Amazon, Po Box 965015,  
Orlando, FL 32896-5015  
14234887 +E-mail/PDF: gecsedirecoverycorp.com Feb 07 2017 01:31:03 Synch/Ashley Furniture,  
950 Forrer Blvd, Kettering, OH 45420-1469  
14234888 +E-mail/PDF: gecsedirecoverycorp.com Feb 07 2017 01:30:35 Synch/Jcp, Po Box 965007,  
Orlando, FL 32896-5007  
14234889 +E-mail/PDF: gecsedirecoverycorp.com Feb 07 2017 01:30:36 Synch/Walmart, Po Box 965024,  
Orlando, FL 32896-5024  
14234890 +E-mail/PDF: gecsedirecoverycorp.com Feb 07 2017 01:30:35 Synchrony Bank, P.O. Box 960061,  
Orlando, FL 32896-0061  
14234894 +E-mail/Text: bnc-bluestem@quantum3group.com Feb 07 2017 01:47:53 Webbank/Fingerhut,  
6250 Ridgewood Rd, Saint Cloud, MN 56303-0820

TOTAL: 23

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Lakeview Loan Servicing, LLC  
14296960\* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067  
(address filed with court: Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541)  
TOTALS: 1, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court  
immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 08, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 6, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com  
Joshua I. Goldman on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com  
Kenneth P. Seitz on behalf of Joint Debtor Connie L Ishman thedebterasers@aol.com  
Kenneth P. Seitz on behalf of Debtor Brian W Ishman thedebterasers@aol.com  
Matthew John McClelland on behalf of Creditor Lakeview Loan Servicing, LLC  
bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7